

Date: February 1, 2000

DSL-BQA-00-015

To: Hospitals

HOSP-07

From: Susan Schroeder, Director
Bureau of Quality Assurance

**Variance of Chapter HFS 124, Wisconsin Administrative Code:
Authentication of Physician Orders
*** Effective Date – Immediate *****

The Department of Health and Family Services has examined issues involved in application of the current rule governing physician authentication found at Section HFS 124.12(5)(b)11, Wisconsin Administrative Code, which states that:

Medical staff by-laws and rules shall include...a statement specifying categories of personnel duly authorized to accept and implement medical staff orders. All orders shall be recorded and authenticated. All verbal and telephone orders shall be authenticated by the prescribing member of the medical staff in writing within 24 hours of receipt.
[emphasis added]

The first authorized modification of this code, extending the requirement for physician authentication from 24 hours to 72 hours, was accomplished by statewide variance on September 4, 1998, per memo DSL-BQA-98-050.

The Department plans to revise this administrative code to assure the improved health, safety and welfare outcomes for hospital patients when ch. HFS 124, Wisconsin Administrative Code, is rewritten. As an interim step, the Department is revising its statewide variance of Section HFS 124.12(5)(b)11, Wisconsin Administrative Code. Hospitals may: (1) continue to comply with the existing statewide variance granted September 4, 1998, or (2) they may choose to comply with the alternative allowed by this statewide waiver, effective February 1, 2000. The intent of this alternative is to assure that hospitals and their medical staff actively identify, implement and evaluate quality improvement practices that reduce medical errors.

Therefore, the Department of Health and Family Services is issuing a new statewide variance of Section 124.12(5)(b)11, Wisconsin Administrative Code. Section HFS 124.12(5)(b)11, Wisconsin Administrative Code, is deemed to be met if medical staff by-laws state that:

1) Language from the statewide variance granted September 4, 1998:

Medical staff by-laws and rules shall include...a statement specifying categories of personnel duly authorized to accept and implement medical staff orders. All orders shall be recorded and authenticated. All verbal and telephone orders shall be authenticated by the prescribing member of the medical staff in writing within 72 hours of receipt.
[emphasis added]

OR

2) Alternative statewide variance effective February 1, 2000:

Medical staff by-laws and rules shall include...a statement that identifies specific categories of credentialed professional medical personnel duly authorized to accept and implement medical staff orders; that states all orders shall be recorded and promptly authenticated by the medical staff member responsible for ordering, providing or evaluating the service; and that states verbal and telephone orders shall be strictly confined to circumstances in which patient care needs require them.

AND

As a condition of this variance alternative, hospitals shall identify, implement and evaluate quality improvement strategies that reduce medical errors; require the active participation of the medical staff in this process; and make available to the Department of Health and Family Services/Bureau of Quality Assurance evidence of the hospital's efforts to reduce medical errors and their outcomes.

The Department, in its sole discretion, may revoke this variance at any time.

Any questions regarding this memo may be directed to the Bureau of Quality Assurance, Health Services Section, at (608) 266 3878; or the Bureau Director, Susan Schroeder, at (608) 267-7185.